



**CITY OF COLUMBUS  
BOARD OF ZONING APPEALS  
HEARING OFFICER  
(October 13, 2015 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** C/DS-15-22 (The Eye Place)  
**Staff:** Charles Russell  
**Hearing Officer:** Melissa Begley  
  
**Applicant:** The Eye Place  
**Property Size:** 1.2 Acres  
**Current Zoning:** CN (Commercial: Neighborhood Center)  
**Location:** 1130 Washington Street, in the City of Columbus

**Background Summary:**

The applicant has indicated that the proposed variance from Zoning Ordinance Section 7.3(Part 1)(C)(3)(c) is for the purpose of establishing a drive onto a minor arterial (Washington Street) that is less than the required separation distance of 400 feet.

**Preliminary Hearing Officer Decision:**

Approval – All criteria have been met.

**Zoning Ordinance Considerations:**

**District Intent:** The intent of the CN (Commercial: Neighborhood Center) zoning district is as follows: To provide convenience goods, services, and amenities within close proximity to residential areas, and to enable the development of small-scale, mixed-use neighborhood centers.

**Development Standards:**

Zoning Ordinance 7.3(Part 1)(C)(3)(c): No two entrances from a public street or road to a property shall be permitted within distances specified below:

- i. **Arterial Street or Road: 400 feet**
- ii. Collector Street or Road: 200 feet
- iii. Local Street or Road: 100 feet

Current Property Information:	
Land Use:	Office/ Retail (Vacant)
Site Features:	Vacant Buildings Proposed for Demolition
Flood Hazards:	None

<b>Vehicle Access:</b>	Washington Street (Minor Arterial, Urban, Commercial) Jackson Street (Local Street, Urban, Commercial)
------------------------	---

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	CN (Commercial: Neighborhood Center) I2 (Industrial: General)	Liquor Store, Factory 12 Event Loft Storage
<b>South:</b>	CN (Commercial: Neighborhood Center)	Fire Station
<b>East:</b>	CN (Commercial: Neighborhood Center) RE (Residential: Established)	The Bicycle Station, Dry Cleaners, Grocery, Gas Station Single-family Residential
<b>West:</b>	CN (Commercial: Neighborhood Center) P (Public/Semi-Public Facilities) I2 (Industrial: General)	Parking Lot Parks Dept. Operations Center Single-family Residential

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	No comments on this application.
<b>City Utilities:</b>	No comments at this time.

### **Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. Plans for this location include combining two small lots, demolishing the existing vacant buildings, and building a one-story office building.
2. The properties currently gain access from three separate drives on Washington Street.
3. This application proposes closing two drives, and realigning the third, with 12<sup>th</sup> Street.
4. The property also has access from Jackson Street, which will also be relocated but retained.
5. The proposed drive is within the context of other drives in the area, and its alignment with 12<sup>th</sup> street is an appropriate location.
6. Many drives along Washington Street have similar drive separation, so this new drive would not be unusual for this location. The proposed drive separation would be 50 feet.
7. Policy 3 of the Columbus Thoroughfare Plan highlights the importance of in-fill development maximizing the value of the existing street system.
8. The properties in this application are currently considered legal nonconforming. Because the property is being redeveloped it now needs to fully comply with the zoning ordinance (Section 11.3(B)(3)). Because access cannot be provided in compliance with the zoning ordinance Section 7.3(Part 1)(C)(3)(d) provides an exception where the property may gain access from the lowest classification street (Jackson Street).

**Provisional Findings of Fact/Decision Criteria:**

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

*Provisional Findings:* The purpose of the drive separation provision is to reduce traffic conflicts by limiting the number of potential conflict areas. This drive aligns with 12<sup>th</sup> street, and thus limits the number of potential conflict areas to the lowest possible number. *This criterion has been met.*

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

*Provisional Findings:* The drive improvements to this property will not adversely affect adjacent properties because they also have access to Washington Street and this new drive will be in context with the area. *This criterion has been met.*

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

*Provisional Findings:* Meeting drive separation in this area is difficult due to the proximity to downtown and the dense street grid. The location and context of this property creates a practical difficulty for meeting drive separation. *This criterion has been met.*

**Hearing Officer Options:**

In reviewing a request for development standards variance the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.